



11/28/03

2823

First Named Inventor	Yonjun Jeff Hu	<b>TRANSMITTAL FORM UNDER 37 CFR 1.10 (LARGE ENTITY)</b>
Serial No.	09/896,093	
Filing Date	June 28, 2001	
Group Art Unit	2823	
Examiner Name	William D. Coleman	
Confirmation No.	9417	
Attorney Docket No.	400.084US01	
Title: AGGLOMERATION CONTROL USING EARLY TRANSITION METAL ALLOYS		

Mail Stop: Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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<b>Enclosures</b>	
<b>The following documents are enclosed:</b>	
<input checked="" type="checkbox"/>	A Response to Restriction Requirement (1 pg.);
<input checked="" type="checkbox"/>	A Preliminary Amendment (24 pgs.) - no additional fees required;
<input checked="" type="checkbox"/>	A return postcard.
<b>Please charge any additional fees or credit any overpayments to deposit account 501373.</b>	
<b>CUSTOMER NUMBER: 27073</b>	

<b>Submitted By</b>					
Name	Thomas W. Leffert	Reg. No.	40,697	Telephone	(612) 312-2200
Signature				Date	26 Nov 03

Leffert Jay & Polglaze, P.A.; P. O. Box 581009, Minneapolis, Minnesota 55458-1009

<b>Certificate of Mailing</b>	
<b>"Express Mail" mailing label number: EL963840981US Date of Deposit: November 26, 2003</b>	
These papers and fees are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.	

(LARGE ENTITY TRANSMITTAL UNDER 37 C.F.R. 1.10)

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PATENT & TRADEMARK OFFICE

First Named Inventor	Yonjun Jeff Hu	RESPONSE TO RESTRICTION REQUIREMENT
Serial No.	09/896,093	
U. S. Filing Date	June 28, 2001	
Group Art Unit	2823	
Examiner Name	William D. Coleman	
Attorney Docket No.	400.084US01	
Title: AGGLOMERATION CONTROL USING EARLY TRANSITION METAL ALLOYS		

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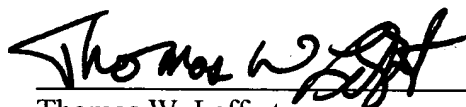
In response to the Restriction Requirement mailed October 28, 2003, Applicant elects, **with traverse**, Group 12 (first occurrence), drawn to claims 37-50. Claims 1-36 and 51-90 are withdrawn. Applicant is including herewith a Preliminary Amendment adding claims comporting with the elected species.

The Office Action notes that species XII is generic. Applicant presumes this statement refers to the first occurrence of species XII, i.e., claims 37-50, as Applicant believes claim 37 to be generic to one or more of claims 51-90. Should a generic claim be allowed, Applicant is entitled to consideration of claims to the other species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.

The Examiner is invited to contact Applicant's Representatives at direct dial (612) 312-2204, if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

Respectfully submitted,

Date: 26 Nov 03



Thomas W. Leffert  
Reg. No. 40,697

Attorneys for Applicant  
Leffert Jay & Polglaze, P.A.  
P.O. Box 581009  
Minneapolis, MN 55458-1009  
telephone: (612) 312-2200  
facsimile: (612) 312-2250

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First Named Inventor	Yonjun Jeff Hu	<b>PRELIMINARY AMENDMENT</b>
Serial No.	09/896,093	
U. S. Filing Date	June 28, 2001	
Group Art Unit	2823	
Examiner Name	William D. Coleman	
Attorney Docket No.	400.084US01	
Title: AGGLOMERATION CONTROL USING EARLY TRANSITION METAL ALLOYS		

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Applicant requests that the following amendments to the claims be made prior to examination of the subject application:

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